

Attorney Docket No.: US 1229/00

THE UNITED STATES DESIGNATED/ELECTED OFFICE
(PATENT COOPERATION TREATY)
IN THE U.S. PATENT AND TRADEMARK OFFICE

In re Application of : October 30, 2008
Mordhay BARKAN :
Intn'l Application No.: PCT/IL98/00563 : U.S Appl. No.: 09/586,881
Intn'l Filing Date: 19 November 1998 :
For: PAYMENT SYSTEM AND METHOD : VIA FACSIMILE
USING TOKENS : 571.273.0459

TRANSMITTAL OF
PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR
1.137(b)

Attn: PCT LEGAL STAFF
MAIL STOP PCT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Attached hereto is a Petition for Revival of an International Application for Patent
Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b).

Intr'l Appl. No.: PCT/IL98/00563
Transmittal of Petition for Revival of an International Application for Patent
Designating the U.S. Abandoned Unintentionally
Under 37 CFR 1.137(b) dated October 30, 2008

As stated in the Petition, the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional, and that the U.S. national application S.N. 09/586,881, has been prosecuted with due care and diligence since its filing and is currently pending.

In view of the above, it is respectfully requested that the attached Petition be granted and the international application PCT/IL98/00563 be revived as pending.

PETITION FEE

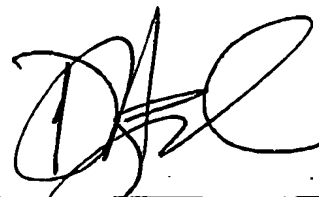
The Commissioner is hereby authorized to charge the petition fee of \$810.00 under 37 CFR §1.17(m) to Deposit Account No. 01-0433. Applicant claims small entity status.

It is believed that no additional fee is due for this submission. Should that determination be incorrect, however, the Commissioner is hereby authorized to charge any deficiencies, or credit any overpayment, to our Deposit Account No. 01-0433, and notify the undersigned in due course.

Intr'l Appl. No.: PCT/IL98/00563
Transmittal of Petition for Revival of an International Application for Patent
Designating the U.S. Abandoned Unintentionally
Under 37 CFR 1.137(b) dated October 30, 2008

Should any official of the PCT Branch/Legal Staff have any questions or wish to discuss further this matter, please contact the undersigned at the telephone number provided below.

Respectfully submitted,



DINESH AGARWAL
Attorney for Applicant(s)
Reg. No. 31,809

Law Office - Dinesh Agarwal, P.C.
5350 Shawnee Road, Suite 330
Alexandria, Virginia 22312
Telephone: (703) 642-9400
Fax: (703) 642-9402
E-mail: da@patentidea.com

DA/va

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**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR
1.137(b)**

**Attn: PCT LEGAL STAFF
MAIL STOP PCT**

Commissioner for Patents
P.O. Box 1450
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Dear Sir:

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C §371 (c), or 35 U.S.C. §111(a)

Intr'l Appl. No.: PCT/IL98/00563
Petition for Revival of an International Application for Patent
Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)

under the "bypass" procedure, were not filed prior to the expiration of the time limit set in 37 CFR 1.495(b) or (c) as applicable, i.e., July 20, 1999. The date of abandonment is the day after the date on which the 35 U.S.C. §371(c) or 35 U.S.C. §111(a) requirements were due, i.e., July 21, 1999.

PROPER REPLY

The proper reply in the form of a U.S. national application (S.N. 09/586,881 - hereinafter "the '881 application") under 35 U.S.C. §111(a) was filed on June 5, 2000. The '881 application has been prosecuted with due care and diligence since its filing and is currently pending.

Subsequent to the allowance of the '881 application, and payment of the issue fee therein on September 23, 2008, it was recently discovered that the filing date thereof, June 5, 2000, appears to be after the 20-month and 30-month deadlines, July 20, 1999 and May 20, 2000, from the earliest claimed Israeli priority application filing date of November 20, 1997. Accordingly, the '881 application was petitioned to be withdrawn from issue by the applicant on October 15, 2008, as the claim for priority under 35 U.S.C. §120 and 365(c), from the filing date of the above-identified PCT international application, November 19, 1998, did not appear to be proper.

In view of the above, the undersigned inventor and the assignee of record hereby petition for revival of this application.

Intr'l Appl. No.: PCT/IL98/00563
Petition for Revival of an International Application for Patent
Designating the U.S. Abandoned Unintentionally Under 37 CFR 1.137(b)

STATEMENT

It is respectfully submitted that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

TERMINAL DISCLAIMER

It is submitted that since this international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

PETITION FEE

The Commissioner is hereby authorized to charge the petition fee of \$810.00 under 37 CFR §1.17(m) to Deposit Account No. 01-0433. Applicant claims small entity status.

It is believed that no additional fee is due for this submission. Should that determination be incorrect, however, the Commissioner is hereby authorized to charge any deficiencies, or credit any overpayment, to our Deposit Account No. 01-0433, and notify the undersigned in due course.

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Should any official of the PCT Branch/Legal Staff have any questions or wish to
discuss further this matter, please contact the attorney of record in the '881 application,
Dinesh Agarwal at 703.642.9400.

OCTOBER 28, 2008
DATE

M. Barkan
MORDHAY BARKAN
Inventor

DIVERSINET CORP.
(Assignee of Record)

Oct 29/2008
DATE

By: [Signature]

Name: HUSSAM MAHGOUB

Title: SVP CORP DEV & RESEARCH